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3 **BEFORE THE ARIZONA MEDICAL BOARD**

4 In the Matter of

5 **CYNTHIA JEAN MODNY, M.D.**

6 Holder of License No. 22577  
7 For the Practice of Medicine In  
8 the State of Arizona.

Case No. MD-05-0431A; MD-05-0434A;  
MD-05-0701A; MD-05-0702A;  
MD-05-0703A; MD-05-0704A;  
MD-05-0705A; MD-05-1062A;  
and MD-06-0238A

INTERIM ORDER  
(For Psychiatric Evaluation)

9 **INTRODUCTION**

10 This matter was considered by the Arizona Medical Board ("Board") at its public meeting on  
11 April 6, 2006. The Board has received numerous complaints regarding the behavior of Cynthia  
12 Jean Modny, M.D. ("Respondent") and currently has nine open investigations. The first seven  
13 complaints (MD-05-0431A; MD-05-0434A; MD-05-0701A; MD-05-0702A; MD-05-0703A; MD-05-  
14 0704A; and MD-05-0705A) concern Respondent's behavior. The common thread in these  
15 complaints is the Respondent's rude, abrupt and angry behavior towards the patients in addition to  
16 the fact that the patients are told that they must not wear any perfumes, hairspray, deodorant or  
17 wear any clothing that is dry cleaned or treated with fabric softener when they appear for their  
18 appointment with Respondent due to Respondent's allergies/sensitivities.

19 Respondent appeared before Board Staff on September 30, 2005 for an investigative  
20 interview concerning these seven complaints and Board Staff and Respondent discussed ways in  
21 which Respondent could alleviate the situation. Thereafter the Board received two additional  
22 complaints (MD-05-1062A and MD-06-0238A) alleging Respondent performed cursory  
23 examinations of the patients in addition to the common complaints of rude, abrupt and angry  
24 behavior of Respondent towards the patients. The most recent complaint was received on March  
25 22, 2006. The Board's Chief Medical Consultant recommends Respondent be required to undergo

1 a psychiatric evaluation based on her continued behavior towards her patients regarding her  
2 allergies/sensitivities to see if she is fit to practice medicine.

3 After having considered all information and being fully advised, the Board voted to require  
4 Respondent to undergo a psychiatric evaluation. A.R.S. § 32-1451(C). Any violation of the Interim  
5 Order constitutes unprofessional conduct pursuant to A.R.S. § 32-1401(27)(r), and may result in  
6 disciplinary action pursuant to A.R.S. § 32-1451.

7 **INTERIM ORDER**

8 IT IS HEREBY ORDERED that:

9 1. Respondent shall submit to a psychiatric evaluation by a Board staff designated  
10 physician ("Psychiatrist") within sixty days of the date of this order. The evaluation will be  
11 conducted at Board expense. Psychiatrist shall provide a written confidential evaluation report to  
12 the Board or authorized Board staff. Psychiatrist is conducting the evaluation solely for the benefit  
13 of the Board and the evaluation report is prepared solely for the benefit of the Board. Therefore,  
14 Psychiatrist is not treating Respondent as a patient. Respondent shall authorize the release to  
15 Board Staff or Psychiatrist, upon request, all records relating to Respondent's previous medical,  
16 psychiatric or psychological history. Respondent shall contact Board Staff for the name of the  
17 Board-approved Psychiatrist she is required to present to.

18 2. Respondent shall provide a copy of this Order to Psychiatrist.

19 3. Any violation of the Interim Order constitutes unprofessional conduct and may result  
20 in disciplinary action. A.R.S. §§ 32-1401(27)(r) and 32-1451.

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DATED 7<sup>th</sup> day of April, 2006.



ARIZONA MEDICAL BOARD

By *Timothy C. Miller*  
TIMOTHY C. MILLER, J.D.  
Executive Director

ORIGINAL of the foregoing filed this  
10<sup>th</sup> day of April, 2006, with:

Arizona Medical Board  
9545 East Doubletree Ranch Road  
Scottsdale, Arizona 85258

Executed copy of the foregoing  
mailed by U.S. Mail this  
10<sup>th</sup> day of April, 2006, to:

D. Jay Ryan  
4150 West Northern Avenue  
Phoenix, Arizona 85051-5798

and

Cynthia Jean Modny, M.D.  
Address of Record

*Christi Dancy*